

Appln. No. 09/911,435  
Amendment dated November 28, 2005  
Reply to Office Action mailed July 26, 2005

**BEST AVAILABLE COPY****REMARKS**

Reconsideration is respectfully requested.

Claims 1 through 42 remain in this application. No claims have been cancelled. No claims have been withdrawn. Claims 43 and 44 have been added.

**Paragraphs 3 and 4 of the Office Action**

Claims 1 through 5, 18, 30 through 31, 33, and 35 through 42 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over the Egendorf et al. publication (hereinafter "Egendorf") in view of Kelley et al. (hereinafter "Kelley").

Claim 1 requires, in part, "capturing a web page from the database associated with said URL", and claim 35 requires "capturing said web page".

In the rejection of claims 1, 30, and 35, it is conceded that the Egendorf patent application publication does not disclose these requirements, and it is then contended that the Kelley patent discloses these requirements of the claims, and in the allegedly obvious combination with Egendorf renders the claimed invention obvious. Turning first to the portion of Kelley relied upon in the Office Action, at col. 3, lines 14 through 23, it is stated here that:

In one embodiment, the form file is stored as an HTML source file. The form file may include an HTML source file previously accessed from an intra- or internet source combined with a set of data for the source file and the process may include accessing the form file from the program storage device and determining if the blank form corresponds to the form file. The program storage device then includes a plurality of form files, each of which includes an HTML source file previously accessed from an intra- or internet source combined with a set of data for the source file and containing information concerning time of creation of the form and a unique identification. The program storage device may further include a combined form table containing a list of the form files. The process then includes accessing the

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combined form table from the program storage device and determining if the blank form corresponds to the form file.

This referenced portion of Kelley simply states that the "HTML source file" is stored. One skilled in the art must reference another portion of the Kelley patent to fully understand what is encompassed by the "HTML source file", such as the definition at col. 4, lines 40 through 42, where it is stated that:

HTML source file--File with the HTML tags to be converted by a web browser to be displayed on a monitor.

In turn, the meaning of "HTML tags" as used in the Kelley patent is set forth in the description at col. 4, lines 37 through 39:

HTML tags--Sections of text marked with < and > symbols to indicate the meaning of each part of the HTML document.

In view of this statement in the Kelley patent that only the tags of the web page are stored, it is submitted that the Kelley patent does not teach the capturing of the web page, but creating a file with only selected portions of the web page. It is submitted that the Kelley patent would lead one of ordinary skill in the art away from storing the text portions of the web page, including labels of the web page that are associated with data entry windows, which would prevent the analysis of the data entry windows for a most probable data entry window. It is submitted that one of ordinary skill in the art, considering what Kelley discloses, would not be led to the requirements of claims 34 and 35.

It is further noted that the rejection of the claims relies upon the allegedly obvious combination of the selected feature of Kelley discussed above with the system of Egendorf. However, the Egendorf system is directed to a "method for searching from a plurality of data sources", while Kelley is directed to "web browser form enhancements" which involve a "process and system for entering and retrieving previously stored data at a client computer in an HTML form" (see the Abstract of Kelley), and is

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solely directed to saving data entered by a user into a form on one website and entering the same data into the form on the same website or on a different website.

As noted in the previous response, and not addressed in the most recent Office Action, claim 1 also requires "locating data entry windows in said captured web page" The rejection cites the Egendorf publication at ¶0075, which states (emphasis added):

[0075] The mechanism for extracting query parameters from a user search request which can be used to make an inquiry of the searchbase comprises entering user search requests in a variety of ways, including predefined forms, pick-lists, browsing of the searchbase categories, word-search, and natural language. The set of mechanisms also include storage of information that relates terms (words, word stems, phrases) to searchbase categories. These linkages and programmed inference rules, which relate sets of searchbase nodes, thereby creating a concept thesaurus, are created by both a central authority and by the authors of the information sources. A variety of word-search and natural language technologies can be applied to free-form input, as described in the background section above, again provided that the searchbase and the linkage information is available.

Considering the text of the Egendorf publication, it is clear that rather than looking for data entry windows in a captured web page, this portion of the Egendorf publication is discussing the manner in which a *user search request* may be entered into the Egendorf system for conducting a search of databases that have been registered by their respective vendors. There is no mention here of anything that could be considered a web page, much less a web page that has been captured. Similarly, there is not mention of locating any data entry windows in any web page. It is therefore submitted that this portion of the Egendorf patent would not lead one of ordinary skill in the art to the step of "locating data entry windows in said captured web page".

Also, with respect to the requirement of "selecting a most probable data entry window of data entry windows for passing queries to said database" in claim 1, the rejection in the most recent Office Action did not

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address the points made in the previous response. As previously noted, the rejection regarding this requirements of claim 1 cited the Egendorf publication at ¶0079, which states:

[0079] The sending of the generated query to the information source is accomplished by the execution of the program using the sending protocol. Such protocols may be standards such as HTTP, HTTPS, and FTP. The protocol submitted may include these base protocols along with additional information such as login ID and password. Protocols also may indicate responses to requests for information such as cookies and client-side information. For example, a protocol description submitted to the searchbase may indicate HTTPS along with the digital signature to be used for authentication. (Additional inputs would be provided as required during use of the input forms of FIG. 12A if the user indicated a selection which might require such additional inputs, for example, HTTPS.) Proprietary protocols built into the access methods (e.g., the "Betty Beta" example of FIG. 14A) also may be used. The protocol description allows access and retrieval from information sources that personalize their responses based upon parameters in the search request from the user's system. For example, if a search request included information indicating the party for whom the search was being conducted, the information source could tailor its responses using information about the user that was known to the information source (e.g., from its own database, or from a cookie in the user's computer), so as to return results more useful to the user than otherwise would be possible.

However, there is no mention here of any selection of a "most probable" data entry window for submitting a query to a database, and instead this portion of the Egendorf publication appears to rely entirely upon sending protocol data that is submitted by a vendor through forms that the vendor must fill out. Therefore, it is also submitted that the Egendorf patent would not lead one of ordinary skill in the art to the step of "selecting a *most probable data entry window* of data entry windows for passing queries to said database".

In contrast to the claimed invention, the Egendorf system relies completely upon the vendors of the various databases to actively and purposefully register with the Egendorf system before the Egendorf system can submit queries to the database of the respective vendor. This

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information is entered by the vendor through forms such as those shown in Figures 12 through 17 of the Egendorf publication. In contrast to the present invention, the Egendorf patent is incapable of determining the manner of submitting queries to a database unless the vendor of the database has taken it upon itself to complete these forms. See, for example, the Egendorf publication at ¶0183 (emphasis added):

[0183] In order to permit users to access its most current database of shoes, the vendor must submit to the searchbase the search methodology which the vendor uses to allow its database to be queried. In this example, that means the vendor must provide the information necessary to enter a query into its query form and to understand the response obtained from the query. The vendor submits only the methodology; the vendor does not submit the database itself.

Similarly, the Egendorf publication states at ¶0186 (which was cited in the Office Action) that (emphasis added):

[0186] FIGS. 12A-12C illustrate an example of a form published on the Internet for obtaining the information from the provider of an information source which would be used to create the descriptive packet in the searchbase for the information source.

This is further verified by Egendorf at ¶0196, where it is stated (emphasis added):

[0196] In order for Alpha's database to be accessible through the searchbase, Alpha must provide the searchbase with the appropriate information about its information source, which is its query form. In this example, this information includes the identification of Alpha and its query form, the categories about which Alpha desires to be queried, the language used by Alpha's query form, the template of a submission made by Alpha's query form to its database, the protocol for sending to Alpha, the protocol for receiving from Alpha, the language used by Alpha in returning its results, and the template of the returned information.

It is therefore submitted that the Egendorf publication relied upon in the rejection of the Office Action, would not lead one skilled in the art to the applicant's invention as required by claim 1. Further, claims 2, 3, and , which depend from claim 1, also include the requirements discussed above and therefore are also submitted to be in condition for allowance.

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Claim 30 requires, in part, "an action string module interfaced to said computer system and configured to *automatically determine a format associated with an entry page* for a database from said entry page, said action string module being configured to *automatically determine an appropriate data entry window* on said entry page for use in passing a query to said database" (emphasis added).

It is submitted that, for the reasons forward above with respect to claim 1, claim 30 also defines over the Egendorf publication.

Withdrawal of the §103(a) rejection of claims 1 through 3, 18, 30 through 31, 33, and 35 through 42 is therefore respectfully requested.

**Paragraph 5 of the Office Action**

The Examiner is thanked for the indication of allowance for claims 32 and 43.

The Examiner is also thanked for the indication that claims 5 through 16 and 19 through 28 would be allowable if written into independent form with the limitations of the base claim and any intervening claims. However, as there is no pending objection to claim 19, which is an independent claim, it is submitted that claims 19 through 28 are in condition for allowance without further amendment. Further, as independent claim 4 is not presently rejected or objected to, and claims 5 through 16 depend from claim 4, it is submitted that claims 4 through 16 are allowable without further amendment.

**Added claims 43 and 44**

Added claim 43 requires "wherein the step of capturing the web page includes storing substantially all portions of the web page", and added claim 44 requires "wherein the step of capturing the web page includes storing text portions of the web page associated with any said data entry windows

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of the web page". It is submitted that, in view of the Kelley teaching of storing only the HTML tags of a page, that one of ordinary skill in the art would never be lead to the requirements of claims 43 and 44.

### CONCLUSION

In light of the foregoing amendments and remarks, early reconsideration and allowance of this application are most courteously solicited.

Respectfully submitted,

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